

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

UNITED STATES OF AMERICA,

*Plaintiff-
Appellant,*

v.

DTE ENERGY CO., *et al.*,

*Defendants-
Appellees.*

No. 14-2274

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
PETITION FOR REHEARING AND REHEARING EN BANC**

Plaintiff-Appellant United States moves for a 14-day extension of time, to and including April 3, 2017, to file its response to Defendants-Appellees DTE Energy's and Detroit Edison's petition for rehearing and rehearing en banc. The United States' response is currently due on March 20, 2017. *See* Doc. 42 (Letter setting schedule). This appeal is consolidated for submission with No. 14-2275, and Plaintiff-appellant in that case (Sierra Club) consents to this motion and plans to file a separate motion to extend its response deadline to the same date. Defendants-Appellees have advised that they take no position on the requested extension of time.

The United States seeks this extension to allow time to brief incoming administration officials with decision-making responsibility about this case, so that they may become familiar with the subject matter and issues presented. EPA Ad-

ministrator Scott Pruitt was confirmed by the Senate less than three weeks ago, on February 17, 2017. Requests to continue proceedings to allow time for new administration officials to become familiar with cases under their authority are customary. *See Brady Campaign to Prevent Gun Violence v. Salazar*, 612 F. Supp. 2d 1, 10 (D.D.C. 2009) (noting that an extension of a preliminary injunction briefing schedule was granted after a change in administration).

Accordingly, the United States requests that the deadline for its response to Defendants-Appellants' petition for rehearing be extended to April 3, 2017.

Dated: March 8, 2017

Respectfully submitted,

/s/ Thomas A. Benson
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CERTIFICATE OF SERVICE

Pursuant to Rule 25 of the Federal Rules of Appellate Procedure, I hereby certify that, on this 8th day of March, 2017, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the Sixth Circuit through the Court's CM/ECF system. All registered CM/ECF users will be served by the Court's CM/ECF system.

/s/ Thomas A. Benson

Thomas A. Benson